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10/625,422	07/23/2003	Gina L. Timmons	036806.00437	9168
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Louis C. Dujmich			RANGREJ, SHEETAL	
Ostrolenk, Faber, Gerb & Soffen, LLP			ART UNIT	PAPER NUMBER
1180 Avenue of the Americas			3626	
New York, NY 10036-8403				

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09/25/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/625,422	TIMMONS ET AL.
	Examiner	Art Unit
	Sheetal R. Rangrej	3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 05 July 2007.  
 2a) This action is **FINAL**.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,3,5,9,11 and 13-28 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1,3,5,9,11 and 13-28 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 07/05/2007 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_.

***Prosecution History Summary***

- Claims 1, 3, 5, 9, 11, and 13-21 have been amended
- Claims 2, 4, 6, 7, 8, 10, and 12 have been canceled.
- Claims 22-28 have been added.
- Claims 1-28 are pending.

***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "404" and "1412" have both been used to designate organize data. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 1 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 1 recites several examples of census data, pharmacy data, and correlating the two information. The examiner is unable to interpret how the correlation step occurs, if for example, the census data is a health care facility identification, and the pharmacy data is a quantity of an item sold. The two information do not relate and would not be able to correlate. For examination purposes, the examiner interprets the correlation step to mean to put the two information together.

5. Claim 22 recites the limitation "receiving from the health care organization payment." The examiner is unable to interpret how the health care organization is giving payment, since in claim 1 is claimed that health care organization sends patient census data and the allocation of charges is done by the processing center. For examination purposes, the examiner interprets that the payment is received by the insurance company.

*Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 3, 5, 15, 18, and 22-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Applicant's admitted prior art (Background of Specification)" in view of Gingrich et al (U.S. Publication No. 2004/0006490) and further in view of Barber et al. (U.S. Patent No. 4,858,121).

8. As per claim 1, Applicant's admitted prior art teaches a method for improving the accuracy of monetary charges to payors in a transaction, the method comprising:

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- receiving by a processing center electronic patient census data from at a health care organization via an electronic communications network, wherein the electronic patient census data includes at least one of a health care facility identification, a health care facility unit identification, a health care facility room number, a health care facility bed number, a patient admission date, a patient discharge date, a patient payment plan, and physician information (Background: para. 0002);
- receiving by the processing center electronic transaction data from a pharmacy via the electronic communications network wherein the transaction data includes at least one of a description of an item sold, a quantity of an item sold, an item price and a transaction date;
- correlating the census data and the transaction data with existing payor contract data to form a related dataset (Background: para. 0002);
- generating an invoice as a function of the validated related dataset (Background: para. 0002-0003); and
- transmitting the invoice to the health care organization (Background: para. 0002-0003).

Applicant's admitted prior art does not teach examining by the pharmacy via the electronic communication network the related dataset to determine whether validating the dataset for accuracy at least one of a proper prescription is charged, a proper price is charged, a contractual term is met, and whether respective charges are to be allocated to a plurality of payors; and validating by the pharmacy the related dataset for accuracy, wherein the validating includes correcting the electronic transaction data by the pharmacy in case the pharmacy identifies a discrepancy during the examining.

Gingrich teaches examining by the pharmacy via the electronic communication network the related dataset to determine whether validating the dataset for accuracy at least one of a

proper prescription is charged, a proper price is charged, a contractual term is met, and whether respective charges are to be allocated to a plurality of payors (**Gingrich: para. 0075**); and validating by the pharmacy the related dataset for accuracy, wherein the validating includes correcting the electronic transaction data by the pharmacy in case the pharmacy identifies a discrepancy during the examining (**Gingrich: para. 0075**).

Therefore, it would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to combine Applicant's admitted prior art with Gingrich. One of ordinary skill would have been motivated to combine these teachings because integrated patient-specific information which is directly relevant to treatment is frequently both unavailable and unobtainable and they must rely on patient supplied information (**Gingrich: para. 0008-0009**).

Applicant's admitted prior art and Gingrich do not teach allocating a monetary to payor allocating respective monetary charges to a plurality of payors, as a function of the validated related dataset.

Barber teaches allocating a monetary to payor allocating respective monetary charges to a plurality of payors, as a function of the validated related dataset (**Barber: column 7, lines 30-41**).

Therefore, it would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to combine Applicant's admitted prior art in view of Gingrich with Barber. One of ordinary skill would have been motivated to combine these teachings because under some insurance policies, the patient has been a co-insurer responsible for portions of the medical bills (**Barber: col. 1, 18-20**). It is a further motivation, because even once the claims

were filled out, physicians still faced problems collecting invoiced amounts to the insurance companies and patients (**Barber: col. 1, 36-41**).

9. As per claim 3, the method of claim 1 is as described. Applicant's admitted prior art and Gingrich do not teach further comprising of protecting the census data, the transaction data and the validated related dataset from unauthorized access or unauthorized alteration (**Barber: column 4, lines 59-63**).

Barber teaches further comprising of protecting the census data, the transaction data and the validated related dataset from unauthorized access or unauthorized alteration (**Barber: column 4, lines 59-63**).

The motivation to combine the teachings is the same as claim 1.

10. As per claim 5, the method of claim 1 is as described. Applicant's admitted prior art and Gingrich do not teach further comprising generating reports from the dataset or compiling the validated related dataset into predetermined report formats.

Barber teaches further comprising generating reports from the dataset or compiling the validated related dataset into predetermined report formats. (**Barber: column 4, lines 48-50; column 12, lines 3-23**).

The motivation to combine the teachings is the same as claim 1.

11. As per claim 15, the method of claim 1 is as described. Applicant's admitted prior art teaches wherein the electronic communications network is used to transmit and receive messages between the health care organization, the pharmacy, and the processing center (**Background: para. 0002**).

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12. As per claim 18, the method of claim 5 is as described. Applicant's admitted prior art and Gingrich wherein the reports relate to the business performance of individual health care facilities and health care facility groups that comprise the health care organization.

Barber teaches wherein the reports relate to the business performance of individual health care facilities and health care facility groups that comprise the health care organization (Barber: column 4, lines 50-54). In light of the specification, the examiner interprets Barber's teaching of "A printer may be provided for printing patient receipts, physician statements or reports...or the like", which also includes business performance and the physician's office to be the same as facilities. The examiner also interprets that expanding the application of the method does not change the method as a whole and therefore also be used equally by the claimed groups of facilities.

The motivation to combine the teachings is the same as claim 1.

13. As per claim 22, the method of claim 1 is as described. Applicant's background further teaches comprising examining by the health care organization the invoice to determine whether the invoice is accurate, and receiving from the health care organization payment for the invoice in case the invoice is accurate (**Background: para. 0002-0003**).

14. As per claim 23, the method of claim 22 is as described. Applicant's background further teaches comprising requesting by the health care organization a credit memo in case the health care organization determines the invoice is not accurate (**Background: para. 0003**). The examiner interprets that the credit memo is included in the resolution of the disputed charges.

15. As per claim 24, the method of claim 23 is as described. Applicant's background further teaches comprising receiving by the processing center the request for the credit memo and

determining by the processing center whether the credit memo is to be issued to the health care organization (**Background: para. 0003**).

16. As per claim 25, the method of claim 24 is as described. Applicant's background further teaches wherein the processing center includes a customer service portion, and the customer service portion receives the request for the credit memo (**Background: para. 0003**). The examiner interprets that the processing center transmits a customer service portion via calling, faxing, or mailing a letter.

17. As per claim 26, the method of claim 1 is as described. Applicant's background further teaches wherein the pharmacy is a member of a pharmacy organization (**Background: para. 0001**).

18. As per claim 27, the method of claim 26 is as described. Applicant's background further teaches wherein the pharmacy organization and the processing center are part of a publicly-held corporate pharmacy organization (**Background: para. 0001**).

19. As per claim 28, the method of claim 26 is as described. Barber teaches wherein the plurality of payors include two or more of a primary insurer, a secondary insurer, a patient, and a responsible third-party (**Barber: col. 5, 66 to col. 6, 9**).

20. Claims 9, 13-14, 16, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Applicant's admitted prior art (Background of Specification)" in view of Gingrich et al (U.S. Publication No. 2004/0006490) and further in view of Barber et al. (U.S. Patent No. 4,858,121) and Lilly et al. (U.S. Publication No. 2003/0093295).

21. As per claim 9, the method of claim 5 is as described. Applicant's admitted prior art, Gingrich, and Barber do not teach further comprising classifying the dataset and reports into

predetermined access levels for controlling an extent of access to the validated related dataset and reports by the predetermined users.

Lilly teaches further comprising classifying the dataset and reports into predetermined access levels for controlling an extent of access to the validated related dataset and reports by the predetermined users (**Lilly: paragraph 0066; paragraph 0068**). In light of the Applicant's specification, the examiner interprets that the dataset and reports are classified into predetermined access levels due to there being a predetermined access levels for predetermined users.

Therefore, it would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to combine Applicant's background in view of Gingrich and Barber with Lilly's teachings. One of ordinary skill would have been motivated to combine these teachings because Lilly discloses that "the Healthcare Information Portability and Accountability Act (HIPAA) mandates the exchange of information more ubiquitous, secure, and efficient" (**Lilly: paragraph 0009, lines 3-7**).

22. As per claim 13, the method of claim 1 is as described. Applicant's admitted prior art and Gingrich do not teach wherein the health care organization includes a hierarchy of individual health care facilities, health care facility groups that include a plurality of individual facilities and corporate oversight of the health care facilities and health care facility groups.

Barber teaches wherein the health care organization includes a hierarchy of individual health care facilities (**Barber: column 3, lines 30-31**).

The motivation to combine the teachings of Applicant's admitted prior art in view of Gingrich with Barber is the same as claim 1.

Barber does not teach health care facility groups that include a plurality of individual facilities and corporate oversight of the health care facilities and health care facility groups.

Lilly teaches health care facility groups that include a plurality of individual facilities (**Lilly: paragraph 0052, lines 1-2, i.e. many different types of entities/organizations**) and corporate oversight of the health care facilities and health care facility groups and corporate oversight of the facilities and groups of facilities (**Lilly: paragraph 0054, lines 1-2, i.e. CDC**).

Therefore, it would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to combine Applicant's background in view of Gingrich and Barber with Lilly's teachings. One of ordinary skill would have been motivated to combine these teachings because Lilly discloses that "the industry has widely recognized a need for better efficiencies, without notable success in many areas" (**Lilly: paragraph 0009, lines 1-3**).

23. As per claim 14, the method of claim 1 is as described. Applicant's admitted prior art, Gingrich, and Barber do teach wherein the pharmacy includes a hierarchy of individual pharmacies, pharmacy groups comprising a plurality of individual pharmacies, and corporate oversight of the pharmacies and pharmacy groups.

Lilly teaches wherein the pharmacy includes a hierarchy of individual pharmacies (**Lilly: paragraph 0052**), pharmacy groups comprising a plurality of individual pharmacies (**Lilly: paragraph 0052**), and corporate oversight of the pharmacies and pharmacy groups (**Lilly: paragraph 0054, lines 1-2, i.e. DEA**).

Therefore, it would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to combine Applicant's background in view of Gingrich and Barber with Lilly's teachings. One of ordinary skill would have been motivated to combine these

teachings because Lilly discloses that “the industry has widely recognized a need for better efficiencies, without notable success in many areas” (**Lilly: paragraph 0009, lines 1-3**).

24. As per claim 16, the method of claim 1 is as described above. Applicant’s admitted prior art, Gingrich, and Barber do not teach further comprising the steps of: (a) conducting logical queries using the dataset; and (b) analyzing the results of the logical queries.

Lilly teaches further comprising the steps of: (a) conducting logical queries using the validated related dataset (**Lilly: paragraph 0070, lines 1-7; claim 8**); and (b) analyzing the results of the logical queries (**Lilly: paragraph 0071**).

Therefore, it would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to combine Applicant’s background in view of Gingrich and Barber with Lilly’s teachings. One of ordinary skill would have been motivated to combine these teachings because Lilly discloses that “prescriptions have risen more than 50%” (**Lilly: paragraph 0010**) making it hard to search and find it in databases.

25. As per claim 19, the method of claim 15 is as described. Applicant’s admitted prior art, Gingrich, and Barber do not teach further comprising the steps of: (a) conducting a survey via the electronic communications network; (b) obtaining responses to the survey via the electronic communications network; (c) taking corrective action to resolve problems identified by the survey.

Lilly teaches further comprising the steps of: (a) conducting a survey via the electronic communications network (**Lilly: paragraph 0053, lines 13-18**); (b) obtaining responses to the survey via the electronic communications network (**Lilly: paragraph 0053, lines 13-18**); (c) taking corrective action to resolve problems identified by the survey (**Lilly: paragraph 0054**).

Therefore, it would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to combine Applicant's background in view of Gingrich and Barber with Lilly's teachings. One of ordinary skill would have been motivated to combine these teachings because Lilly discloses that the prior art "does not provide a solution with respect to prescription tracking and abuse" (**Lilly: paragraph 0009, lines 6-7**).

26. As per claim 20, the method of claim 15 is as described. Applicant's admitted prior art, Gingrich, and Barber do not teach further comprising the steps of transmitting and receiving communications between the health care organization and the pharmacy regarding interest in particular new products and the performance of current products.

Lilly teaches further comprising the steps of transmitting and receiving communications between the health care organization and the pharmacy regarding interest in particular new products and the performance of current products (**Lilly: paragraph 0055**).

Therefore, it would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to combine Applicant's background in view of Gingrich and Barber with Lilly's teachings. One of ordinary skill would have been motivated to combine these teachings because Lilly discloses that "pharmaceutical companies and researchers are in a constant race to provide the public with pharmacological formulations that are compatible with constantly evolving therapeutic formulations..." (**Lilly: paragraph 0055, lines 1-6**).

27. As per claim 21, the method of claim 15 is as described. Applicant's admitted prior art and Gingrich do not teach further teaches (a) generating reports from the validated related dataset; and (e) removing access to patient-identifying information from dataset.

Barber teaches further teaches (a) generating reports from the validated related dataset (**Barber: column 4, lines 48-50; column 12, lines 3-23**); and (e) removing access to patient-identifying information from dataset (**Barber: col. 4, 59 to col. 5, 2**).

The motivation to combine the teachings of Applicant's admitted prior art in view of Gingrich with Barber is the same as claim 1.

Applicant's admitted prior art, Gingrich, and Barber do not teach (b) distributing the reports to predetermined users via the electronic communications network; (c) classifying the validated related dataset and reports into predetermined access levels for controlling an extent of access to the dataset and reports by the predetermined users; (d) protecting the reports from unauthorized access.

Lilly teaches (b) distributing the reports to predetermined users via the electronic communications network (**Lilly: paragraph 0066; paragraph 0068, lines 1-5**). The examiner interprets transactions of the like to include reports; (c) classifying the validated related dataset and reports into predetermined access levels for controlling the extent of access to the dataset and reports by the predetermined users (**Lilly: paragraph 0066; paragraph 0068**). The examiner interprets that the dataset and reports are classified into predetermined access levels due to there being a predetermined access levels for predetermined users; (d) protecting the reports from unauthorized access (**Lilly: paragraph 0066-0067**).

Therefore, it would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to combine Barber and Lilly's teachings. One of ordinary skill would have been motivated to combine these teachings because Lilly discloses that "the industry has widely recognized a need for better efficiencies, without notable success in many areas...it

would be desirable to reduce spiraling cost structures, mitigate health risks, provide more efficient billing and business modeling, eliminate redundancy, and improve informational flow, the solutions to such overwhelming problems are generally unavailable" (**Lilly: paragraph 0009**) and that "the Healthcare Information Portability and Accountability Act (HIPAA) mandates the exchange of information more ubiquitous, secure, and efficient" (**Lilly: paragraph 0009, lines 3-7**).

28. Claims 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Applicant's admitted prior art (Background of Specification)" in view of Gingrich et al (U.S. Publication No. 2004/0006490) and further in view of Barber et al. (U.S. Patent No. 4,858,121) and Oscar et al. (U.S. Publication No. 2001/0037216).

29. As per claim 11, the method of claim 5 is as described. Applicant's admitted prior art, Gingrich, and Barber do not teach wherein patient-identifying information has been removed from the dataset.

Oscar teaches wherein patient-identifying information has been removed from the dataset (**Oscar: paragraph 0057, lines 18-22**).

Therefore, it would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to combine Applicant's admitted prior art in view of Gingrich with Barber and Oscar's teachings. One of ordinary skill would have been motivated to combine these teachings because Lilly discloses that "the Healthcare Information Portability and Accountability Act (HIPAA) mandates the exchange of information more ubiquitous, secure, and efficient" (**Lilly: paragraph 0009, lines 3-7**).

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30. As per claim 17, the method of claim 5 is as described. Applicant's admitted prior art, Gingrich, and Barber do not teach wherein the reports relate to the business performance of individual pharmacies and pharmacy groups comprising plurality of individual pharmacies that comprise the pharmacy.

Oscar teaches wherein the reports relate to the business performance of individual pharmacies and pharmacy groups comprising plurality of individual pharmacies that comprise the pharmacy (Oscar: paragraph 0058, lines 5-6 and lines 12-18). The examiner interprets that expanding the method's application does not change the method as a whole and therefore also be used equally by the groups of pharmacies.

Therefore, it would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to combine Applicant's admitted prior art in view of Gingrich with Barber and Oscar's teachings. One of ordinary skill would have been motivated to combine these teachings because Oscar discloses that "Pharmacy Benefit Managers (PBMs) have used to process claims for prescription drug benefits and attempt to control costs" (**Oscar: para. 0006**).

***Request for Information***

31. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.
32. The information is additionally required to establish the level of ordinary skill at the time of the invention (see *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966)), particularly with any public record of the claimed subject matter of Publicly-held Corporate Pharmacies (“PCPs”). This is particularly relevant in view of applicant’s admission that PCP systems helps deal with transaction data and helping health care organizations with invoices from pharmacies.
33. In response to this requirement, please provide any public disclosures regarding the PCP system, which the applicant relied upon in drafting the Background of the Invention section.
34. In response to this requirement, please state the specific improvements of the claimed subject matter in claim 1 over the disclosed prior art and indicate the specific elements in the claimed subject matter that provide these improvements.
35. In responding to those requirements that require copies of documents, where a document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.
43. Applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 C.F.R. 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

44. This requirement is an attachment of the enclosed Office action. A complete response to the enclosed Office action must include a complete response to this requirement. The time period for reply to this requirement coincides with the time period for reply to the enclosed Office action, which is 3 months.



JEFFREY A. SMITH Approval for Request of Information:  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

*Conclusion*

36. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

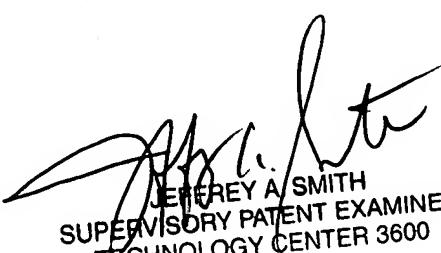
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheetal R. Rangrej whose telephone number is 571-270-1368. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SRR

SRF  
9/12/07

  
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